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Date: April 23, 2010

Patent 0-06-172 (17660/US/04 CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Bron et al.
Serial no.: 10/588,398
Int. Filed: May 30, 2005
Submitted to USPTO: August 3, 2006
Title: SCORCH PREVENTION IN FLEXIBLE
POLYURETHANE FOAMS
Examiner: Peter Godenschwager
Art Unit: 1796
Confirmation: 8382

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Response and Amendment

This response is in reply to the office action mailed on January 29, 2010.

Claims Amendment

Claims 1 and 14 have been amended to specify the function of the claimed composition in accordance with the description on page 1 of the specification.

Claims Rejection – 35 USC § 103

Claims 1-7, 12, and 13 are rejected as being unpatentable over Barry et al. (US 5,338,478) in view of Ferrero-Heredia et al. (US 5,530,035). The Applicant respectfully traverses the Examiner's rejection.

The Examiner noted that Barry teaches a stabilizer composition for preventing scorching in polyurethane (PU) foams, comprising antioxidants, phosphite, and possibly stannous octoate – if added to PU mixtures. The Examiner stated that it would have been obvious to add to the mixture also bisphenol A diglycidyl ether and thereby to arrive to the instant anti-scorch composition, because Ferrero uses the compound in a PU foam.

The applicant directs the Examiner's attention to several essential differences between the present technique and the cited documents. Firstly, it should be emphasized that Barry's stannous octoate serves as a catalyst in the polymerization/foaming alone (Barry, line 39 at col. 4) and is not an essential part of the anti-scorch composition as the instant salts of carboxylic acids. Notwithstanding the fact that stannous octoate is recited among many other – mostly non-metallic – known catalysts, its contact with phosphite or antioxidant is only incidental and arbitrary. Secondly, Ferrero does not relate to the aspect of scorching in PU but to the insulating properties of PU; Ferrero employs epoxybisphenol as an inert carrier liquid (abstract), which carrier incorporates sodium hydroxide to the foam (see Ferrero's claims); the role of an epoxide in the instant composition is to quickly react with the scorch forming radicals such as labile halides originated from halogenated FR. The